

states listed above. This office handles approximately 35 % of the applications for permits to possess eagles or eagle parts that the USFWS receives nationally and issues 42 % of these permits. This equates to 1,200 to 1,400 permits processed per year.

3. A search of the USFWS Permits Issuance and Tracking System performed on April 10, 2012 reflects that the Region 2 MBPO has received applications for, and subsequently issued permits for, the possession of eagle feathers (both bald and golden) for Indian religious purposes as follows:

	Region 2			All Regions	
Year	Number of Indian Religious Purpose Applications Received	Number of Indian Religious Purpose Permits Issued		Number of Indian Religious Purpose Applications Received	Number of Indian Religious Purpose Permits Issued
2003	185	194		772	639
2004	232	167		864	567
2005	316	233		1091	649
2006	407	278		1376	848
2007	588	394		1917	990
2008	1357	4657		3035	8109
2009	1579	927		3214	2341
2010	1293	1359		3224	3457
2011	1193	1458		4105	4144
Total	7150	9667		19598	21744
Region 2 percent of total	36%	44%			

4. The number of permits issued is often different (lower or higher) than the number of applications received in a given year. For instance, in 2009, 1579 applications were received but only 927 permits were issued. However, in 2011, the opposite occurred and approximately 1193 applications were received and 1458 permits were issued for eagle feathers in Region 2.

5. This deviation can best be explained by noting that the year a given application is received does not necessarily correspond with the year that a permit is issued for that given application. This was often that case because before 2009 the permit was not issued until the order for feathers or parts was filled by the National Eagle Repository; because of the high demand the time lag could be significant. In other words, the demand for eagle feathers is greater than the supply.

6. Another reason for the deviation is the applicant sometimes is underage, or the application is incomplete and we are unable to obtain the additional information necessary from the applicant to allow us to issue the permit. Often this occurs because of a failure by the applicant to provide a certification that they are in fact an enrolled member of a federally-recognized tribe as required by the regulations. We do not determine whether the failure to provide this certification is due to the person not being an enrolled member, or whether it is due to other reasons, such as a loss of interest in pursuing the application or the death of the applicant.

7. Beginning in 2009 the permit issuance procedure was changed and permits are now issued as soon as they are processed. So, even though a permit is issued, the recipient may not get their order for several years, depending on just what was ordered because the demand far exceeds the supply. This has somewhat alleviated the time difference between applications received and permits issued, but does not reflect other reasons a permit could be delayed.

8. An outline for the eagle feather permit application process is attached. Also, attached is a blank application form.

9. The Region 2 MBPO processes applications per the regulations and statutes in place to govern these permits. Currently, the Region 2 MBPO administers approximately 10,600 eagle feather permits that have been issued over the years. This number is for the eagle feather permits only. Added to the 60+ other types of permits we administer, without increased staff and major funding it would be impossible to handle the number of eagle feather permits if virtually anyone could apply for this type of permit.

This declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing are true and correct to the best of my current knowledge.

Date: April 27, 2012.



Jerry Thompson

Eagle Feather Permit Application Process

1. Applicant fills out a 3-200-15a, Eagle Parts For Native American Religious Purposes, Permit Application & First Order.
2. Applicant sends the application, along with verification of Tribal Enrollment, to the Regional Migratory Bird Permits Office where they reside.
3. Once the application is received by the Regional Office, it is entered into the Service Permits Issuance and Tracking System.
4. If all required documents are included in the application and it is complete, a permit is issued to the applicant. If not, the applicant is contacted and informed of the deficiencies.
5. The Order form and tribal Enrollment documents are sent to the National Eagle repository for fulfillment.
6. Any re-order is sent by the applicant directly to the Repository.



Department of the Interior
U.S. Fish and Wildlife Service

EAGLE PARTS FOR NATIVE AMERICAN RELIGIOUS PURPOSES

**PERMIT APPLICATION
& SHIPPING REQUEST**

Please see reverse for instructions

OMB No. 1018-0022;

Exp. 04/30/2004

OFFICE USE ONLY

Date Completed Request
Rcd. in Regional Office:

____/____/____

Initials: _____

LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX (SR., JR., ETC.)	DATE OF BIRTH
ADDRESS				SOCIAL SECURITY NUMBER
CITY	STATE	ZIP CODE	NAME OF CONTACT PERSON (IF YOU HAVE NO PHONE)	
HOME PHONE NUMBER	WORK PHONE NUMBER		PHONE NUMBER OF CONTACT	
Do you currently have, or have you ever had, a Federal fish and wildlife permit or license? NO YES				
If yes, list the permit or license number(s):				

DESCRIPTION OF REQUESTED MATERIAL

(You may order either a whole bird or parts; not both. Only one request may be pending at any time.)

Is this your

☐ First request
for Eagles

or

☐ a Reorder

Item

☐ Whole (intact) Carcass

☐ Parts Equivalent

to One Whole Bird

☐ Whole Wing(s)

☐ Loose Feathers (type) _____ Other Parts (specify) _____

☐ Whole Tail

☐ Talons

Species

☐ Golden

☐ Bald

☐ Either

Age

☐ Adult

☐ Immature

☐ Either

NAME OF YOUR TRIBE:

ENROLLMENT No.

Name of Religious Ceremony in which these materials will be used. (You may choose not to provide the name of the religious ceremony(ies) if doing so would violate your religious beliefs.)

Your signature affirms that you are requesting an eagle carcass or eagle parts for religious purposes.

Signature: _____ Date: _____

OFFICE USE ONLY BELOW HERE

APPLICANT CONTACT NOTES:

REQUEST # _____

Date approved application forwarded to Eagle Repository: _____ Initials: _____

Date approved application received at Eagle Repository: _____ Initials: _____

Date of shipment to applicant: _____ Initials: _____

Application Instructions for Eagle Parts for Native American Religious Purposes

The U.S. Fish and Wildlife Service administers the Bald and Golden Eagle Protection Act, the Federal law protecting bald and golden eagles. This law provides for the use of eagle feathers for religious purposes by Native Americans. Eagles and eagle feathers are accumulated by, and made available to Native Americans through, the National Eagle Repository. In order to receive material from the Repository, you must obtain a permit from the Service Regional Migratory Bird Permit Office responsible for your state. To qualify for a permit, you must be a member of a federally recognized tribe, band, nation, or other organized group or community recognized by, and eligible to receive services from, the Bureau of Indian Affairs. You must be at least 18 years old to apply for a permit.

The Repository serves Native Americans throughout the entire 50 states. Shipments of feathers are prioritized according to the date the Regional Migratory Bird Permit Office receives a complete application. You can avoid delays in the processing of your application by ensuring that your forms are complete and legible. We must have your current address and telephone number for the Repository to contact you when your request is ready to be filled. The Repository will not ship any eagle or eagle parts without prior telephone contact.

Note: Because the supply of eagle carcasses and eagle parts is limited, you may have only one request pending at a time, and you may not request both a whole bird and parts in the same request. Requests for whole carcasses average 3 ½ to 4 years to fill. Requests for loose feathers can usually be filled within 6 months to 1 year. An order for parts or feathers may not exceed the equivalent of a whole bird.

Follow the instructions below to apply for an Eagle Permit and obtain material from the Repository:

If this is	then you should	Mail to
<u>your first request</u> for an eagle or eagle parts, ⇒	1. Fill out the Permit Application & Shipping Request. Request <u>either</u> a whole bird <u>or</u> parts. Do not ask for both. 2. Fill in your name and address at the top of the Certification of Enrollment. Then have the tribal official who is authorized to certify that an individual is a duly enrolled member of your tribe fill in the information requested in the box on the form and return the form to you. Attach it to your application. Then, ⇒	the Regional FWS Migratory Bird Permit Office responsible for your state.
a request for an <u>additional</u> eagle or parts after your initial request has been filled and you have sent your Acknowledgment of Receipt to your Permit Office, ⇒	Fill out the Permit Application & Shipping Request. Request <u>either</u> a whole bird <u>or</u> parts. Do not ask for both. (You do not need to resubmit your Certification of Enrollment.) Then, ⇒	the Regional FWS Migratory Bird Permit Office responsible for your state.

Important

Keep your Migratory Bird Permit Office advised of any address and/or telephone number changes so that you can be promptly notified when your shipment is ready.

APPLICATION FOR A FEDERAL FISH AND WILDLIFE LICENSE/PERMIT

Paperwork Reduction Act and the Privacy Act - Notices

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*) and the Privacy Act of 1974 (5 U.S.C. 552a), please be advised that:

1. The gathering of information on fish and wildlife is authorized by:
 - (a) Bald Eagle Protection Act (16 U.S.C. 663a);
 - (b) Endangered Species Act of 1973 (16 U.S.C. 1539);
 - (c) Migratory Bird Treaty Act (16 U.S.C. 703-711);
 - (d) Marine Mammal Protection Act of 1972 (16 U.S.C. 1371-1383);
 - (e) Wild Bird Conservation Act (16 U.S.C. 4901-4916);
 - (f) Lacey Act (18 U.S.C. 42 & 44);
 - (g) Convention on International Trade in Endangered Species of Wild Flora and Fauna (TIAS 8249);
 - (h) Title 50, Part 10, of the Code of Federal Regulations;
 - (i) Title 50, Part 13, of the Code of Federal Regulations;
 - (j) Title 50, Part 14, of the Code of Federal Regulations;
 - (k) Title 50, Part 15, of the Code of Federal Regulations;
 - (l) Title 50, Part 16, of the Code of Federal Regulations;
 - (m) Title 50, Part 17, of the Code of Federal Regulations;
 - (n) Title 50, Part 18, of the Code of Federal Regulations;
 - (o) Title 50, Part 21, of the Code of Federal Regulations;
 - (p) Title 50, Part 22, of the Code of Federal Regulations; and
 - (q) Title 50, Part 23, of the Code of Federal Regulations.
2. Information requested is this form is purely voluntary. However, submission of requested information is required in order to process applications for licenses or permits authorized under the above acts. Failure to provide all requested information may be sufficient cause for the U.S. Fish and Wildlife Service to deny a permit. Response is not required unless a currently valid Office of Management and Budget (OMB) control number is displayed.
3. Certain applications for permits authorized under the Endangered Species Act of 1973 (16 U.S.C. 1539) and the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371-1383) will be published in the **Federal Register** as required by the two acts.
4. Routine use disclosures may also be made:
 - (a) To the U.S. Department of Justice when related to litigation or anticipated litigation;
 - (b) Of information indicating a violation or potential violation of a statute, regulation, rule, order or license to appropriate Federal, State, local or foreign agencies responsible for investigation or prosecuting the violation or for enforcing or implementing the statute, rule, regulations, order or license;
 - (c) From the record of an individual in response to an inquiry from a Congressional office made at the request of that individual (42 FR 1903; April 11, 1977);
 - (d) To subject matter experts, and State and other Federal agencies, for the sole purpose of obtaining advice relevant to issuance of the permit.
5. For individuals, personal information such as home address and telephone number, financial data, and personal identifiers (social security number, birth date, etc.) will be removed prior to any release of the application.
6. The public burden for information collection varies depending on the activity for which a permit is requested. The relevant burden for an Eagle-Indian Religious application is 30 minutes. This burden estimate includes time for reviewing instructions, gathering and maintaining data and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of the form to the Service Information Clearance Officer, Fish and Wildlife Service, Mail Stop 222, Arlington Square, U.S. Department of the Interior, 1849 C Street, NW, Washington D.C. 20240

Freedom of Information Act - Notice

For organizations, businesses, or individuals operating as a business (i.e., permittees not covered by the Privacy Act), we request that you identify any information that should be considered privileged and confidential business information to allow the Service to meet its responsibilities under FOIA. Confidential business information must be clearly marked "Business Confidential" at the top of the letter or page and each succeeding page and must be accompanied by a non-confidential summary of the confidential information. The non-confidential summary and remaining documents may be made available to the public under FOIA [43 CFR 2.13(c)(4), 43 CFR 2.15(d)(1)(i)].

APPLICATION PROCESSING FEE

The fee to process a migratory bird permit application is \$25.00. Checks should be made payable to "U.S. Fish and Wildlife Service." The fee applies to new permit applications and renewals. The processing fee will not be refunded if the permit is issued or denied, or if the application is abandoned.

The fee schedule does not apply to any Federal, State or local government agency or individual or institution under contract to such agency for the proposed activities. There is no fee for eagle permits issued under 50 CFR 22. Until further notice, the fee will be waived for migratory bird rehabilitation permits and for public institutions. As defined in 50 CFR 10.12 - "Public as used in referring to museums, zoological parks, and scientific or educational institutions, refers to such as are open to the general public and are either established, maintained, and operated as a governmental service or are privately endowed and organized but not operated for profit."

(Form 3-200-15)



OMB No. 1018-0022
Expires 4/30/2004

Department of the Interior
U.S. Fish and Wildlife Service
Division of Migratory Birds

EAGLE PERMIT APPLICANT:

(Please print)

NAME: _____

ADDRESS _____

TELEPHONE NO: _____

CERTIFICATION OF ENROLLMENT

(By Certifying Tribal Official)

The U.S. Fish and Wildlife Service administers the Bald and Golden Eagle Protection Act, the Federal law protecting eagles. This law provides for Native American use of eagle feathers for religious purposes. Eagles and eagle feathers are accumulated by the Service's National Eagle Repository and made available to Native Americans.

Application for a permit to acquire eagle feathers requires certification that the requesting individual is an enrolled member of an Indian tribe that is federally recognized under the Federally Recognized Tribal List Act of 1994, 25 U.S.C. 479a-1, 108 Stat. 4791 (1994). The certificate must be signed by the tribal official who is authorized to certify that an individual is a duly enrolled member of that tribe, and must include the official title of that certifying official. (50 CFR 22.22)

- - - - -

Name of certifying official (print): _____

I certify that _____ is an enrolled member of the
_____ Tribe, Enrollment # _____.

I understand that making a false statement can make me subject to the criminal penalties of 18 U.S.C. 1001.

Signature: _____ Date: _____

Title: _____ Office phone no. _____

NOTE TO CERTIFYING OFFICIAL: Please expedite this completed Certification of Enrollment to the applicant at the above address.

APPLICANT: Attach this completed certification to your Eagle Permit application and mail them to the U.S. Fish and Wildlife Service Regional Migratory Bird Permit Office responsible for your state.

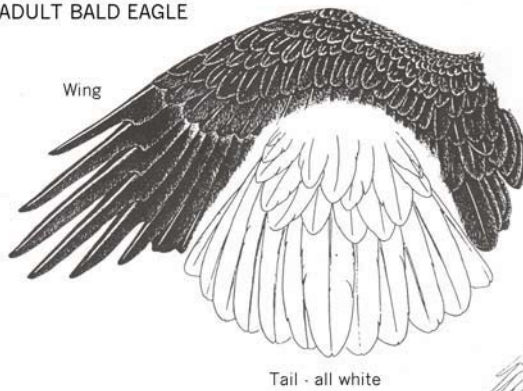
MIGRATORY BIRD PERMIT OFFICES

USFWS Region	Area of Responsibility	Mailing Address
1	California, Hawaii, Idaho, Nevada, Oregon, Washington, Pacific Island Territories	911 N.E. 11 th Avenue Portland, OR 97232-4181 (503) 872-2715
2	Arizona, New Mexico, Oklahoma, Texas	P.O. Box 709 Albuquerque, NM 87103 (505) 248-7882
3	Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, Wisconsin	One Federal Drive Ft. Snelling, MN 55111-4056 (612) 713-5436
4	Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, U.S. Virgin Islands	P.O. Box 49208 Atlanta, GA 30359 (404) 679-7070
5	Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia	P.O. Box 779 Hadley, MA 01035-0779 (413) 253-8643
6	Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, Wyoming	P.O. Box 25486, DFC Denver, CO 80225-0486 (303) 236-8171
7	Alaska	1011 East Tudor Road Anchorage, AK 99503 (907) 786-3693

BALD AND GOLDEN EAGLE FEATHERS

(There is no size difference between adult and immature eagles.)

ADULT BALD EAGLE



ADULT GOLDEN EAGLE



IMMATURE BALD EAGLE



Spikes/Primaries

Secondaries

IMMATURE GOLDEN EAGLE

